



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HUMBERTO LUNA

Defendant.

Case No.: CR 16-0092

REVOCATION OF PRE-TRIAL
RELEASE

ORDER OF DETENTION AFTER
HEARING

[18 U.S.C. § 3148(b)]

The defendant having been arrested in this District pursuant to a warrant issued by the United States District Court for the Central District of California for alleged violation(s) of the terms and conditions of his/her pre-trial release; and

The Court having conducted a revocation hearing pursuant to 18 U.S.C. § 3148(b),

1. The Court finds:

() that there is probable cause to believe that the defendant committed a Federal, State, or local crime while on release;

(X) clear and convincing evidence that the defendant has violated a condition or conditions of his release.

2. The Court further finds that:

() based on the factors set forth in 18 U.S.C. § 3142(g), there is no condition or combination or conditions of release that will assure that the defendant will not flee or pose a danger to the safety of any other person or the community;

(X) the defendant is unlikely to abide by any condition or combination of conditions of release.

3. The Court has considered:

A. (X) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device;

B. (X) the weight of evidence against the defendant;

C. (X) the history and characteristics of the defendant; and

D. (X) the nature and seriousness of the danger to any person or the community.

4. The Court also has considered all the evidence adduced at the hearing and the arguments and/or statements of counsel, and the Pretrial Services Report/recommendation.

5. The Court bases its finding(s) on the following:

(i) as to flight risk: Defendant absconded from supervision

(ii) as to danger: _____

(iii) as to unlikelihood of following terms and conditions: _____

A. IT THEREFORE IS ORDERED that the defendant's pre-trial release is revoked.

B. IT IS FURTHER ORDERED that the defendant be detained prior to trial.

C. IT IS FURTHER ORDERED that the defendant be committed to the custody of

1 the Attorney General for confinement in a corrections facility separate, to the
2 extent practicable, from persons awaiting or serving sentences or being held in
3 custody pending appeal.

4 D. IT IS FURTHER ORDERED that the defendant be afforded reasonable
5 opportunity for private consultation with counsel.

6 E. IT IS FURTHER ORDERED that, on order of a Court of the United States or on
7 request of any attorney for the Government, the person in charge of the
8 corrections facility in which defendant is confined deliver the defendant to a
9 United States marshal for the purpose of an appearance in connection with a
10 court proceeding.

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12 Dated: 9-20-17

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16 FREDERICK F. MUMM
17 UNITED STATES MAGISTRATE JUDGE
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